

FROM: Doug Ellis  
Public Information and Policy Development Coordinator

DATE: June 13, 2000

SUBJECT: Request to Initiate with Rule-Making

The first step of the rule making process requires all state agencies to file with the Code Reviser pre-proposal statements of inquiry (CR 101) seeking public comment on topics of possible rule making, and giving interested persons an opportunity to participate in the process.

These pre-proposal statements indicate that you will discuss, at a designated meeting date, whether to proceed to public hearing and possible adoption of administrative rules. Preliminary drafts are presented to the Commission at the meeting and input from the public is taken. The next rule making notice (CR 102) and the proposed amendments are then filed with the Code Reviser.

The final step is to hold a public hearing and adopt the rule. Permanent rules become effective 31 days after filing the rule making order (CR 103) with the Code Reviser, unless another, later date is specified in the order.

Seven rules have been identified for formal action. Two are new rules and five are amendments to existing rules.

## **New Rules**

**Goals Regarding Access to Campaign and Lobbying Reports:** Senate Bill 6775 sets out new public access goals for 2001 and 2002. Current PDC Policy 99-01 adopted the goals set out in Chapter 401, Laws of 1999, Section 2 (E2SSB 5931):

- When reports are filed by electronic means, staff will endeavor to make the report available in the PDC office within 2 business days and on the PDC web site within 7 business days.
- When reports are filed on paper, staff will endeavor to make the reports available in the PDC office with 4 business days of physical receipt and on the PDC web site within 14 business days of physical receipt.

Under SB 6775 these goals are changed on January 1, 2001:

Electronic Filing	PDC office within 2 days PDC Web site within 4 days
Paper Filing	PDC office within 4 days PDC web site within 7 days

On January 1, 2002 the goals are:

Electronic Filing                      PDC office and web site within 2 days

Paper Filing                              PDC office and web site within 4 days

Staff is requesting the Commission proceed with the formal rule-making process in establishing these goals for public access to disclosure reports.

**Reporting of Field Trips and Other Excursions:** At the April 25, 2000 meeting, the Commission adopted PDC Interpretation 00-01 effective July 1, 2000. The Commission also directed staff to begin the formal rule-making process with respect the interpretation.

Staff will file the CR 101 with the Code Reviser later this month and will also initiate stakeholder work as soon as possible.

## **Rule Amendments**

**WAC 390-24-010 Forms for Statement of Financial Affairs.** Consistent with [Executive Order 00-03](#) signed by the Governor on April 25, 2000 (copy enclosed) and with concerns expressed by Commissioner Cahill, the staff is requesting that the Personal Financial Affairs Statement be amended to eliminate the need to identify dependent children who are not employed and do not have other reportable assets or liabilities.

**WAC 390-18-010 Political Advertising. Identification of Sponsor.** In 1995, the State Legislature changed the language in RCW 42.17.510 and eliminated the need for sponsor identification to be in a printed or drawn box and to have the sponsor identification appear on each page of the advertising. The rule amendment would mirror this 1995 statutory language. Staff is also recommending that one or more rules be adopted to emphasize that the political advertising provisions in RCW 42.17.505 through .550 apply to political advertising appearing on the Internet.

**WAC 390-13-010 Optional Format for Requests for Lists of Individuals.** This proposed amendment is to eliminate the hold harmless agreement section for affidavits from persons making requests for public records containing lists of individuals. It has been brought to staff attention by Assistant Attorney General Nancy Krier that AGO No.12 provides that a public agency may not seek a hold harmless agreement from a requester of public records. [See attached.](#)

**WAC 390-16-011 and WAC 390-16-012** Registration Statements for Political Committees and Candidates. The proposed amendments would adopt the language of the emergency rules on a permanent basis.

Action by the Commission. At this point, staff is looking for your concurrence to proceed with the above-mentioned rule making.